



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/665,442	09/19/2000	Stephen J. Brown	00-0920 / 7553.00055	5890
60683 7590 12/22/2008 HEALTH HERO NETWORK, INC. 2400 GENG ROAD, SUITE 200 PALO ALTO, CA 94303			EXAMINER	
			KOPPIKAR, VIVEK D	
ART UNIT		PAPER NUMBER		
3686				
MAIL DATE		DELIVERY MODE		
12/22/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

OFFICE ACTION

Correction of the Grounds of Rejection

The correct grounds of rejection in this case are that:

- Claims 47, 55-57, 77,84,91,98, 105, and 107-110 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent Number 5,339,821 to Fujimoto.
- Claims 48-49, 51-54, 78-83, 85-90, 92-97, and 99-104 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Number 5,339,821 to Fujimoto in view of US Patent Number 6,421,633 to Heinonen.
- Claims 59-62 and 106 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Number 5,339,821 to Fujimoto in view of US Patent Number 6,421,633 to Heinonen.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on July 15, 2008 was filed after the mailing date of the Final Office Action on August 9, 2007. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner. Note the attached copy of form 1449, signed and initialed by the examiner.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vivek Koppikar, whose telephone number is (571) 272-5109. The examiner can normally be reached from Monday to Friday between 8 AM and 4:30 PM.

If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Jerry O'Connor, can be reached at (571) 272-6787. The fax telephone numbers for this group are either (571) 273-8300 or (703) 872-9326 (for official communications including After Final communications labeled "Box AF").

Another resource that is available to applicants is the Patent Application Information Retrieval (PAIR). Information regarding the status of an application can be obtained from the (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAX. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, please feel free to contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sincerely,

/Vivek D Koppikar/
Examiner, Art Unit 3686
12/22/2008

/Gerald J. O'Connor/
Supervisory Patent Examiner
Group Art Unit 3686